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E-FILED - 7/16/09

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MISAELO SOLORIO,

Defendant.

No. CR 09-00489 RMW

STIPULATION TO CONTINUE
STATUS DATE;
[] ORDER

It is hereby stipulated between the United States of America, by and through Assistant United States Attorneys Thomas O'Connell, and defendant Misael Solorio, by and through his counsel Vicki H. Young, that the status date of June 15, 2009, be continued to June 29, 2009, at 9:00 a.m.

The reason for this continuance is that defense counsel is still reviewing the discovery provided by the government and needs additional time to complete that review. Mr. Solorio is currently charged in two separate indictments, and the government has additional evidence regarding eight other transactions involving controlled substances and/or firearms.

Therefore the ends of justice served by such a continuance outweigh the best interest of the public and the defendants in a Speedy Trial within the meaning of Title 18 U.S.C. §3161(h)(8)(A).

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STIP AND [] ORDER

The parties stipulate that the time between June 15, 2009, and June 29, 2009, shall be excluded from the period of time within which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq., pursuant to Title 18, United States Code, Section 3161(h)(8)(A), considering the factors set forth in Section 3161(h)(8)(B). As required by 18 U.S.C. §3161 (h)(8)(B)(iv), it is stipulated that the ends of justice outweigh the best interest of the public and the defendant in a speedy trial and the denial of the stipulation to continue the status hearing would unreasonably deny the defendants reasonable time necessary for effective preparation of the pretrial motions and defense, taking into account the exercise of due diligence, and would deny the defendant continuity of counsel. 18 U.S.C. §3161(h)(8)(B)(iv).

It is so stipulated.

Dated: June 11, 2009

Respectfully submitted,

/s/ Vicki H. Young
VICKI H. YOUNG, ESQ.
Attorney for Misael Solorio

Dated: June 11, 2009

JOSEPH P. RUSSIONIELLO
UNITED STATES ATTORNEY

/s/ Thomas O’Connell
THOMAS O’CONNELL
Assistant United States Attorney

STIP AND [] ORDER

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

MISAEAL SOLORIO,

Defendant.

CR No.: CR 09-00489 RMW

ORDER FOR
CONTINUANCE OF
STATUS DATE

FOR GOOD CAUSE SHOWN, IT IS HEREBY ORDERED that the status date of June 15, 2009, is continued to June 29, 2009, at 9:00 a.m.

The Court finds the time between June 15, 2009, 2009, and June 29, 2009, is excludable from the Speedy Trial Act requirements of Title 18, United States Code, Section 3161 pursuant to Title 18, United States Code, Sections 3161(h)(8)(A) and 3161(h)(8)(B)(iv). The parties agree that the time is excludable in that the ends of justice served by granting this continuance outweigh the best interests of the public and the defendant in an earlier trial. For these reasons, there is good cause for the continuance and failure to grant the continuance would unreasonably deny the government and the defendants reasonable time necessary for effective case preparation taking into account the exercise of due diligence under 18 U.S.C. 3161(h)(8)(B)(iv).

IT IS SO ORDERED.

DATE: 7/16/09

Ronald M. Whyte

RONALD M. WHYTE
UNITED STATES DISTRICT JUDGE